

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

JAMES ANTHONY BARNETT, JR.,                          )  
                                                                  )  
                                                                  )  
Plaintiff,                                                    )  
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                                                                  )  
v.                                                                    )                                                                    1:19CV303  
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                                                                          )  
DR. CONNIE LOCKLEAR-JONES,                            )  
                                                                          )  
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Defendant(s).                                                    )

**ORDER**

The Order and Recommendation of the United States Magistrate Judge was filed with the court in accordance with 28 U.S.C. § 636(b) and, on April 1, 2019, was served on the parties in this action, (ECF. Nos. 3, 4). Plaintiff objected to the Recommendation.

The court has appropriately reviewed the portions of the Magistrate Judge's report to which objection was made and has made a de novo determination which is in accord with the Magistrate Judge's report. The Court therefore adopts the Magistrate Judge's Recommendation.

IT IS THEREFORE ORDERED that this action is filed and DISMISSED *sua sponte* without prejudice to Plaintiff filing a new complaint, on the proper § 1983 forms, which corrects the defects cited in the Recommendation. A judgment dismissing this action will be entered contemporaneously with this Order.

This, the 24<sup>th</sup> day of April 2019.

/s/ Loretta C. Biggs  
United States District Judge